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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/424,544	11/24/1999	MASUMITSU INO	SON-1582/SUG	8128
7590 09/30/2009				
RONALD P KANANEN RADER FISHMAN & GRAUER THE LION BUILDING 1233 20TH STREET NW SUITE 501 WASHINGTON, DC 20036			EXAMINER PIZZALI, JEFFREY J	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 09/30/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte: MASUMITSU INO, HIROYOSHI TSUBOTA, HIROAKI
ICHIKAWA, SHINICHI TERAGUCHI, TAKETO OKA, TORU
AKUTAGAWA, TOSHIKAZU MAEKAWA, YOSHIHARU NAKAJIMA
& NAOSHI GOTO

Application No. 09/424,544
Technology Center 2600

Mailed: September 29, 2009

Before DEBORAH L. PERRY, Supervisory Paralegal Specialist, *Review Team*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on August 24, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S CONSIDERATION OF

REPLY BRIEF AND AMENDMENT

A Reply Brief and Amendment was filed August 27, 2009. There is no evidence on the record indicating that the Examiner has considered or acknowledged the Reply Brief or Amendment in accordance with 37 CFR § 41.43(a)(1) and MPEP § 1208, part II.

CONCLUSION

Accordingly,
it is ORDERED that the application is returned to the Examiner:

- 1) consider the Reply Brief and Amendment filed August 27, 2009, as indicated above; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

DLP/jsd

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